



One of the most critical tasks in any zoning review is to update the land use classifications and the regulations associated with them. The term “land uses” means the way land is developed and operated in terms of the activities allows. Historically, land use regulation has consumed the bulk of zoning regulations.



Revisions Needed

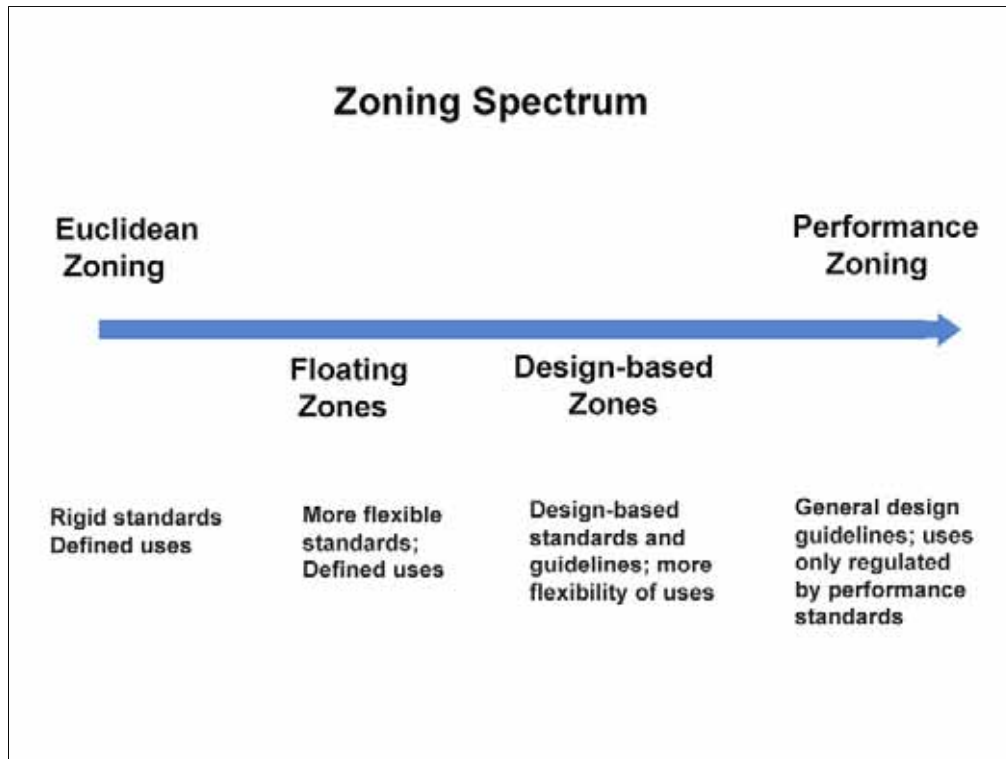
- ✱ **Revise & Consolidate Uses**
- ✱ **Reorganize the Land Use Tables**
- ✱ **Revise Definitions**
- ✱ **Consider a two-tiered approach to uses**

The Rockville comprehensive zoning revision will involve a number of updates to the land use regulations. The update will focus on better definitions given current trends and modern needs. The incorporation of form-based zoning regulations will require a different, broader scheme for land use regulation which will allow the City to better address the market, City desires and emerging development trends in the new century.



Some of these we've already talked about – accessories, temporary, nonconforming – in separate paper discussions. A complete list of these concepts is provided in the White Paper itself.

There are also certain regulatory matters that involve land use. These include regulations for special exceptions, addressing uses not specifically identified in the use tables, and administering the use permit process as it relates to land uses proposed in development projects. Traditional zoning did not anticipate the creation, invention or evolution of new uses. As cities have developed, new planning ideas came into existence to respond to these changes, and more flexibility has been provided for uses.



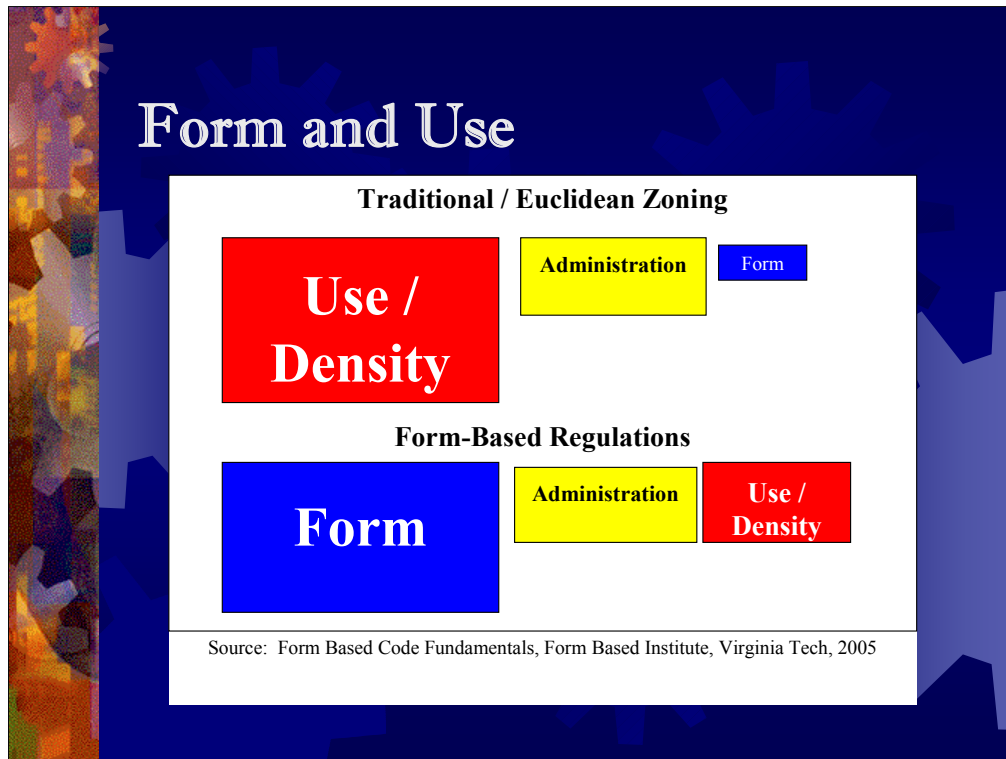
Traditional zoning assumes that different types of uses are inherently incompatible and must be separated from each other. This is the basis of Euclidean zoning schemes, the kind the City has relied on since zoning was first applied in 1931. Over the past 30 years, newer zoning concepts have been developed that recognize the desirability of having more flexibility in how land uses are distributed. Euclidean zoning is fairly rigid in both development standards and use allowances. Floating zones and design-based zones provide more flexibility, particularly with regard to design. Performance zoning is based on how one use might affect an adjoining use, with little regard for the actual use characteristics. Any or all of these concepts can be incorporated into a zoning code.



Master Plans & Zoning

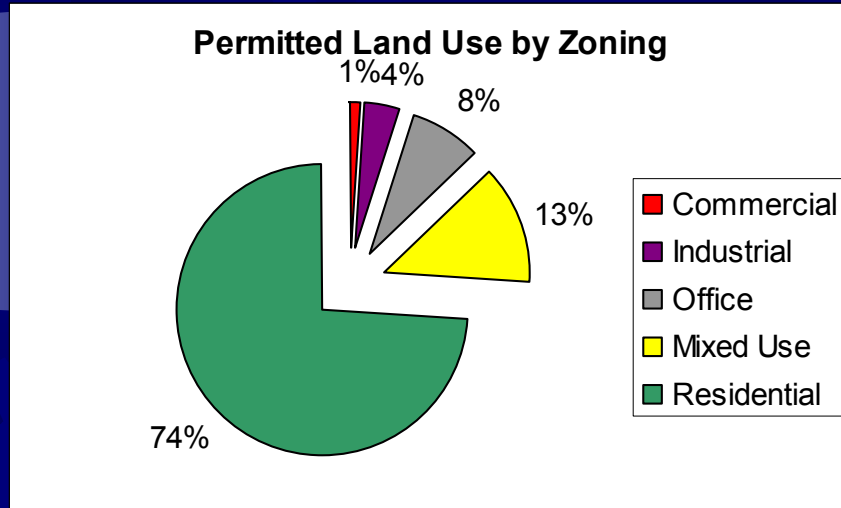
- ☀ **Zones permit a range of uses. Master plans recommend appropriate zones with the presumption that all of the permitted uses are suitable.**

Traditional Euclidean zones include a range of permitted and special exception uses. All of the permitted uses are presumed to be equally suitable within that zoning district. One of the tasks of the revision process is to examine each zone and determine which uses should be allowed in each of the zones. With floating zones or form-based zones, there may be more latitude to include master plan guidance within the development approval process.



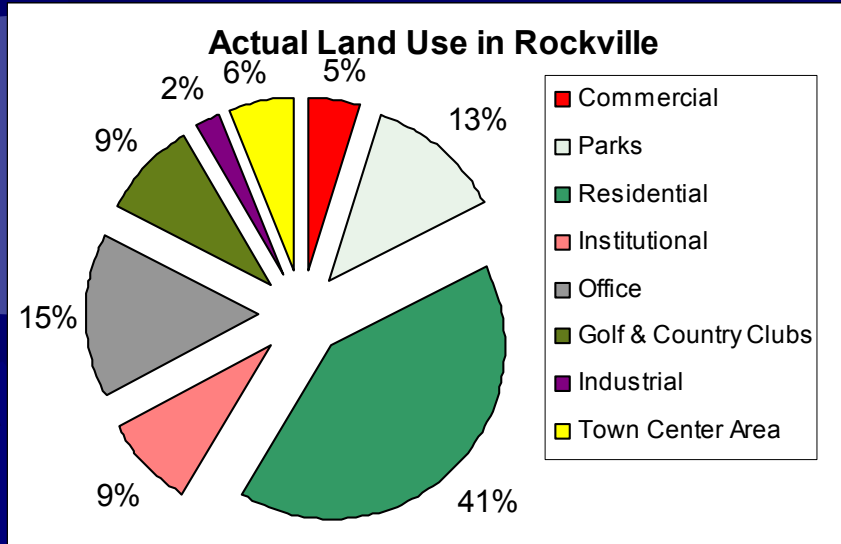
Form-based development is becoming the most popular alternative to use-centered zoning codes. With form-based regulations, the central idea is that the buildings will outlast any particular uses, and therefore the emphasis is on the quality and configuration of the building form as it relates to basic human activities. Form-based procedures are less concerned about the mix of uses, under the assumption that most types of land uses can be made compatible. Quality of design can mitigate adverse impacts among the various uses. In general, form-based development will be based on the design standards and guidelines set forth in the relevant master plan. The use of form-based regulations depends in part on guidance from the relevant master plan for building bulk, exterior design, landscaping, and architectural standards. The master plan should also provide guidance as to the nature of the form-based development.

Rockville Land Use



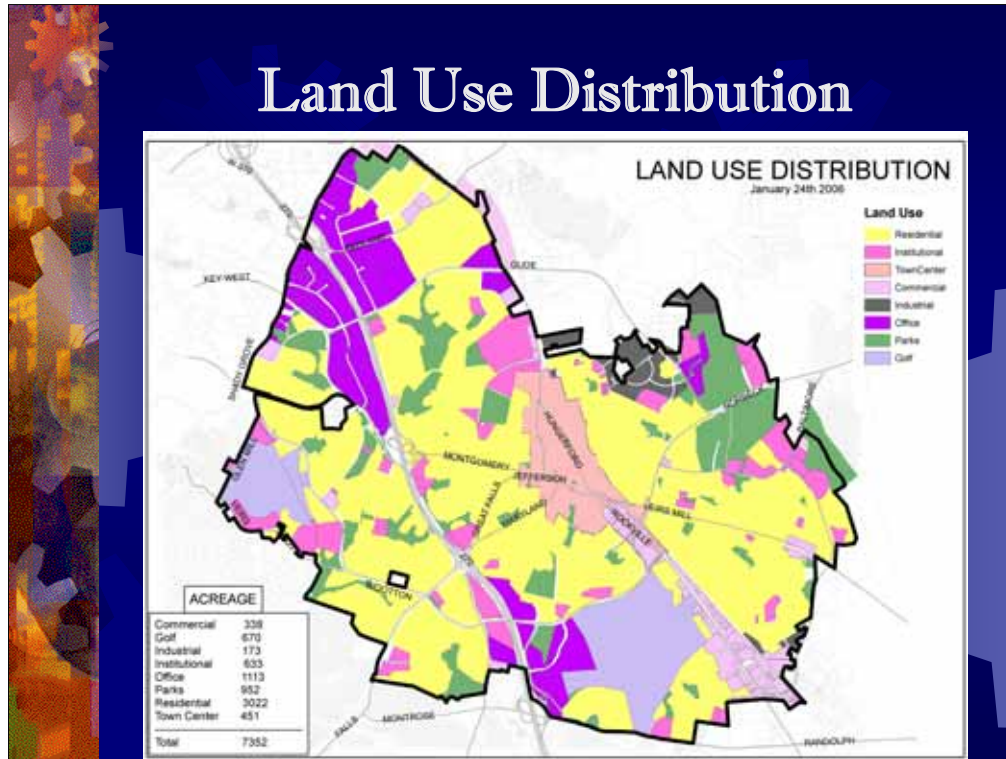
Typical of most urban areas, the majority of the zoning area in Rockville is residentially zoned. Commercial and mix-use areas comprise the next largest zoned areas, followed by office and industrial zones.

Rockville Land Use



While residential zoning comprises over 70% of the City's land area, actual residential uses comprise about 40%. Parkland, private golf clubs, and institutional uses make up the other uses on residentially zoned land.

Land Use Distribution



This map provides a visual illustration of how the land uses in the City are distributed. The yellow represents the residential areas. Green is park, gray are the private golf clubs.



Recommendations

- ✦ **Consolidate Uses into Broader Categories**
- ✦ **Reorganize the Land Use Tables**
- ✦ **Clarify Definitions**

The recommendations from the white paper are as follows: consider consolidating the various uses into broader categories, at least when included within mixed-use development areas. Reorganize the land use tables to be more user-friendly—group uses by similar categories, for instance. Clarify and add definitions as needed.



Recommendations

- ✱ **Review the Special Exception Process**
- ✱ **Accommodate Emerging Uses**
- ✱ **Consider Two Types of Zoning Districts**
 - **Traditional – More defined uses**
 - **Mixed-Use – Broader use categories**

Review the special exception process to determine if some uses can be permitted with conditions and not have to go to the Board of Appeals. Provide some degree of definition flexibility to accommodate new emerging uses. Examine the idea of have two types of zoning areas—traditional, Euclidean types (such as the one-family residential zones), and mix-use districts where uses can be more flexibly applied, perhaps with some performance standards.



Conclusions

- ✦ **Traditional Zoning = Fine-grained use divisions**
- ✦ **Mixed-use/Form-based Zoning = Broader use categories**
- ✦ **Refine definitions**
- ✦ **Examine use allowance – By right; Special Exception; Conditional**

In sum, traditional Euclidean zoning depends on a fairly rigid separation between different land uses, on the theory that all uses must be closely examined for compatibility. In mixed-use or form-based zones, it is assumed that most uses can be compatible with each other, perhaps with some defined performance standards. These will need to be further examined and refined during the revision process. We also need to refine and update the definitions, both to reflect more modern terms and to remove regulations within definitions. We also need to examine the special exception uses to determine if some can be allowed by right, or allowed as conditional permitted use instead of having to go before the Board of Appeals.

